

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Rule 5.1.4 of the Local Rules of Civil Procedure,
Format of Documents in Electronic Form
O R D E R**

AND NOW, this 21st day of April 2003, it appearing to the court that Federal Rule of Civil Procedure 5(e) authorizes the Court to establish practices and procedures for the filing, signing, serving and verification of documents by electronic means, and that the Office of the Clerk of Court of the United States District Court for the Eastern District of Pennsylvania was selected by the Judicial Conference of the United States to implement an electronic case filing ("ECF") system,

AND, it appearing that this Court is vested with authority, pursuant to 28 U.S.C. §2071(e) and §2077 and Federal Rule of Civil Procedure 83, to promulgate Local Civil Rules not inconsistent with the Federal Rules of Civil Procedure and applicable statutes, the judges of the United States District Court for the Eastern District of Pennsylvania, on March 25, 2002, approved for publication and solicitation of comment, the *Procedural Order on Electronic Case Filing*, establishing practices and procedures for the filing, signing, serving and verification of documents by electronic means,

AND, it appearing that in order to implement the *Procedural Order on Electronic Case Filing*, the judges of this court, on May 16, 2002, approved and adopted Rule 5.1.2 of the Local Rules of Civil Procedure, incorporating by reference the provisions of the *Procedural Order on Electronic Case Filing*,

AND, it appearing that in order to augment the provisions of the *Procedural Order on Electronic Case Filing*, the judges of this court on February 11, 2003, approved for publication and solicitation of comment, Rule 5.1.4 of the Local Rules of Civil Procedure, incorporating by reference the provisions of the *Procedural Order Governing the Format of Documents in Electronic Form*, it is hereby

AND, it further appearing that comment was received in response to the publication of notice and solicitation of comment, and that the judges of the court reviewed and considered said comment, it is hereby

ORDERED that, in accordance with the Resolution approved by the judges of this Court on April 21, 2003, Rule 5.1.4 of the Local Rules of Civil Procedure for the United States District Court for the Eastern District of Pennsylvania, *Format of Documents in Electronic Form*, will apply to all relevant cases and will read as follows:

Rule 5.1.4 *Format of Documents in Electronic Form* -- In accordance with the *Procedural Order on Format of Documents in Electronic Form*, the provisions of which are incorporated herein by reference, and which may be amended from

time to time by the court,

(a) attorneys who are not registered Electronic Case Filing (“ECF”) Users, as defined in the *Procedural Order on Electronic Case Filing* referenced in Rule 5.1.2 of the Local Rules of Civil Procedure, are required to submit complaints and all subsequent filings in traditional manner on paper, accompanied by copies of the filings on disk in portable document format (PDF) at the time of filing so that the filings may be entered into the District Court's ECF system; for convenience of attorneys who do not have access to compatible hardware or software, a computer with PDF conversion capability is available in the Clerk's Offices at Philadelphia and Allentown, with assistance for PDF conversion provided by Clerk's Office staff as needed; attorneys who have reason for not providing this material on disk are required to notice the Clerk's Office in writing attached to the document, explaining the reason for not providing this material on disk;

(b) attorneys who do not register to participate in the ECF program are requested to register and participate in the court's Program for Facsimile Service of Notice to Counsel or Litigants in Civil and Criminal Cases (the “Fax Noticing Program”).

Therefore, this 21st day of April 2003, it is hereby

ORDERED that, until further Order of the court, Rule 5.1.4 of the Local Rules of Civil Procedure is approved and adopted concurrent with approval of the *Procedural Order Governing the Format of Documents in Electronic Form*, a copy of which is attached to this Order, effective May 1, 2003. It is further

ORDERED that Rule 1.2 of the Local Rules of Criminal Procedure for the United States District Court for the Eastern District of Pennsylvania, *Applicability and Effect of Local Rules*, is amended to include Rule 5.1.4 of the Local Rules of Civil Procedure, *Format of Documents in Electronic Form*, as fully applicable to all criminal proceedings. It is further

ORDERED that the Clerk of Court transmit a copy of Rule 5.1.4 of the Local Rules of Civil Procedure and amended Rule 1.2 of the Local Rules of Criminal Procedure to the Director of the Administrative Office of the United States Courts and the Judicial Council of the Third Circuit Court of Appeals and make said Rules available to the bar and public.

FOR THE COURT:

JAMES T. GILES,
Chief Judge

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

Rule Civil Rule 5.1.2 *Electronic Case Filing* -- All cases filed on or after May 1, 2002, may be assigned to the Electronic Case Filing ("ECF") System in accordance with the *Procedural Order on Electronic Case Filing*, the provisions of which are incorporated herein by reference, and which may be amended from time to time by the court.

Local Civil Rule 5.1.3 *Excluded Personal Identifiers* -- As documents in civil cases may be made available for personal inspection in the office of the clerk of court at the United States Courthouse, or, if filed electronically, may be made available on the court's Electronic Case Filing system, such personal identifiers as Social Security numbers, dates of birth, financial account numbers and names of minor children should be modified or partially redacted in all documents filed either in traditional paper form or electronically.

Rule 5.1.4 *Format of Documents in Electronic Form* -- In accordance with the *Procedural Order on Format of Documents in Electronic Form*, the provisions of which are incorporated herein by reference, and which may be amended from time to time by the court,

(a) attorneys who are not registered Electronic Case Filing ("ECF") Users, as defined in the *Procedural Order on Electronic Case Filing* referenced in Rule 5.1.2 of the Local Rules of Civil Procedure, are required to submit complaints and all subsequent filings in traditional manner on paper, accompanied by copies of the filings on disk in portable document format (PDF) at the time of filing so that the filings may be entered into the District Court's ECF system; for convenience of attorneys who do not have access to compatible hardware or software, a computer with PDF conversion capability is available in the Clerk's Offices at Philadelphia and Allentown, with assistance for PDF conversion provided by Clerk's Office staff as needed; attorneys who have reason for not providing this material on disk are required to notice the Clerk's Office in writing attached to the document, explaining the reason for not providing this material on disk;

(b) attorneys who do not register to participate in the ECF program are requested to register and participate in the court's Program for Facsimile Service of Notice to Counsel or Litigants in Civil and Criminal Cases (the "Fax Noticing Program").

Local Criminal Rule 1.2 *Applicability and Effect of Local Rules* -- The following Local Civil Rules shall be fully applicable in all criminal proceedings: Rule 5.1, Appearances; Rule 5.1.2, Electronic Case Filing; Rule 5.1.4, Format of Documents in Electronic Form; Rule 7.1(g), Motions for Reconsideration or Reargument; Rule 7.4, Notices, Stipulations; Rule 40.1.1, Emergency Judge; Rule 40.3, Calendar Control, Operating Procedures; Rule 40.3.1, Calendar Review; Rule 43.1.1, Attachments for Witnesses; Rule 45.1, Subpoenas for Trial; Rule 45.1.1, Appearance of a Judicial Officer of this Court as a Character Witness; Rule 48.1(a), Challenges to Array; Rule 67.1, Bail, Sureties and Security; Rule 72.1, United States Magistrate Judges; Rule 83.3, Broadcasting, Filming and Recording in Courtroom and Appurtenant Areas; Rule 83.5, Admissions to Practice; Rule 83.5.2, Associate Counsel; Rule 83.6, Rules of Disciplinary Enforcement; and Rule 83.6.1, Expedition of Court Business.

